

The C A S E of *Francis Annesley*, Esq;

(87)

THat by an Act of Parliament, pass'd in the 11th Year of the Reign of his late Majesty King *William* of glorious Memory, all the Estates of *Ireland*, forfeited for the late Rebellion, as also the Estate of the late King *James*, were vested in certain Trustees in the said Act named to be sold for Payment of the Publick Debts.

And that none might be thereby prejudiced, every Person having any Estate or Interest in the said Forfeitures or Estate of the late King *James*, before the 13th of *February* 1688, were to enter their Claims with the said Trustees, on or before the 10th of *August* 1700: And for default of such Entry, their Estates and Interests were to be for ever barr'd, and without remedy, and the Decrees of the said Trustees were thereupon to be final, and to be obey'd by all Persons: And after determination of the Claims, the Trustees were empower'd to sell by Cant the said Estates vested in them, and to convey the same to the best Bidder; the Purchaser to hold the said Estates, discharg'd of all Claims and Demands, except such as were allow'd by the said Trustees.

That *Robert Dixon*, Esq; did enter his Claim before the said Trustees for $\frac{1}{2}$ th Parts of the Lands of *Tippenan* in the County of *Kildare*, in the said Kingdom, as descended from his Ancestors, and that the same was no Part of the late King *James's* Estate; and upon hearing the said Claim before the Trustees by Council for the Claimant and the Publick, the Trustees did decree one Moiety to the Claimant *Dixon*, and dismiss'd his Claim for the other Moiety, as being the Estate of the late King *James*.

That the said *Francis Annesley*, having been before the passing the said Act Tenant to the said Lands, and paying for the same the yearly Rent of 12 *l.* 10 *s.* to *Thomas Brodrick*, Esq; and to *Robert Rochford*, Esq; and others, Receivers for the Countess of *Orkney*, to whom the said Estate, as Part of the said late King *James's* was granted, as by their Receipts, ready to be produced, may appear. And the said *Francis Annesley*, not doubting but that all Purchasers, under the Sanction of an *English* Law, should be safe, and quietly enjoy their Purchases, when the said Lands were set up to Sale, the said *Francis Annesley* did bid upon the Cant for the same 600 *l.* the Agent of the said *Dixon* having bid 595 *l.* only; and thereupon the said *Francis Annesley* was declared the Purchaser, and had the said Moiety of *Tippenan*, conveyed to him and his Heirs, by Deed indented and inroll'd, according to the Directions of the said Act.

That the said *Robert Dixon* brought his Ejectment for the said Moiety so convey'd, to the said *Francis Annesley*, had a Verdict and Judgment for all, except 10 Acres thereof, and the said Judgment affirm'd on a Writ of Error in the *Queens-bench* at *Westminster*, and on another Writ of Error affirm'd in the Lords House; whereupon the said *Dixon* executed a Writ of Enquiry of Damages, and had a Verdict and Judgment for 403 *l.* 5 *s.* 2 *d.* And also upon an *Habere facias possessionem*, directed to his Brother, Sir *Kildare Burroves*, then Sheriff of the County of *Kildare*, turn'd the said *Francis Annesley* out of Possession of not only that Part of *Tippenan*, for which he obtained Verdict and Judgment, but also out of Possession of the said 10 Acres, and out of a considerable Part of the said *Francis Annesley's* ancient Estate, descended to him from his Father, and by reason of Privilege of Parliament in that Kingdom, the said *Francis Annesley* has not been able to get his own ancient Estate again.

In regard therefore that the Money paid for the Purchase of the said Land, was apply'd to the Payment of the Publick Debts, and that the said *Francis Annesley* has taken all the Steps he was advis'd by his Council, which hath been very expensive to him, by means whereof he has almost ruin'd himself, his Wife, and several small Children.

He humbly hopes, the Honourable House of Commons will take his Case into their Consideration, and grant him such Relief therein as in their great Wisdom shall seem meet.

CASE

OF

Francis Amesley, Esq;